



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

OFFICE OF THE GOVERNOR
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April 17, 2006

The Honorable Jim Weiers
Speaker of the House
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2191: court settlements; JLBC; attorney general

Dear Speaker Weiers:


Today I vetoed House Bill 2191, which would have required JLBC approval of settlements entered into by the Attorney General in excess of \$50,000.00.

This bill constitutes an unwarranted encroachment by the legislature into the affairs and discretion of the Office of the Attorney General. The Attorney General is the state's chief legal officer. A.R.S. § 41-192(A). He alone is statutorily authorized to "compromise or settle any action or claim by or against this state or any department, board or agency thereof" provided that he obtain the approval of the department, board or agency or (in relevant cases) of the governor. A.R.S. § 41-192(B)(4). Requiring the Attorney General also to obtain JLBC approval would be cumbersome and would severely inhibit the Attorney General's ability to settle cases in a timely and efficient manner. It could result in the state missing opportunities to partake in settlements on the most beneficial terms.

The Attorney General is more qualified than the JLBC to determine the strength of the state's legal position in a given matter, and the appropriateness of settling a case at a given amount. Because he is elected by the people, he is directly accountable to the state's voters, who are free to exercise their rights at the polls to object in the event they disagree with any particular settlement the Attorney General enters into.

For these and other reasons, there is no need for JLBC approval of such legal settlements, and requiring such approval is not in the best interest of the state.

Yours very truly,


Janet Napolitano
Governor

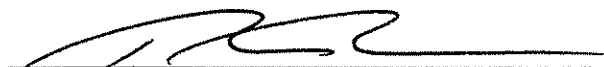
JN:TN/jm

cc: The Honorable Ken Bennett
The Honorable Andy Biggs

Passed the House March 2, 2006

by the following vote: 36 Ayes

17 Nays, 7 Not Voting



Speaker of the House
Pro Tempore



Chief Clerk of the House

Passed the Senate April 4, 2006

by the following vote: 18 ayes

12 Nays, 0 Not Voting



President of the Senate



Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2191

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 12, 2006,

by the following vote: 39 Ayes,

21 Nays, 0 Not Voting

[Signature]
Speaker of the House
Norman L. Fyfe
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

12th day of April, 2006

at 3:16 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this _____ day of

_____, 20____,
VETO
at _____ o'clock _____ M.

Governor of Arizona

H.B. 2191

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 2006,

at 4:51 o'clock P. M.

[Signature]
Secretary of State